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SENSITIVE
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DEPT FOR NEA/ARP:AMACDONALD

E.O. 12958: N/A
TAGS: [EWWT](#) [PREL](#) [PTER](#) [MCAP](#) [YM](#)
SUBJECT: MARITIME "LEGAL ARGUMENTS" USELESS SAYS FOREIGN
MINISTER

REF: STATE 4610

¶1. (SBU) Foreign Minister Abubakr al-Qirbi expressed concern with the tactics of some of the naval vessels currently on anti-piracy missions in the Gulf of Aden during a March 23 meeting with foreign ambassadors. He asserted that Yemeni fishermen are "starving" due to the presence of the Somali pirates and the threat from aggressive patrolling naval ships. Qirbi cited the death of a Yemeni fisherman during a Russian counter-piracy operation, a version of the incident that the Russians have previously challenged (reftel).

¶2. (SBU) Qirbi was furious with the French for towing a sinking Somali smuggling boat carrying 97 passengers (and reportedly crewed by pirates) to Aden and burdening an already "poor country" with additional refugees. (Note: Only three of the 97 passengers were Somalian and will receive automatic refugee status under Yemeni law. End note.) The French Charg argued that as a signatory to the International Convention for the Safety of Life at Sea (SOLAS), the boat was within Yemen's "area of responsibility" since it was closer to Yemen than anywhere else. Qirbi angrily shot back, "Don't use legal arguments in stressful conditions," and then continued to argue that there is a difference between responsibility and capability. Curiously, he handed the ambassadors a report on the March 21 incident that explicitly states, "In line with its obligation to rescue people at sea, the Government of Yemen gave the French watercraft the authorization to enter Yemeni waters to escort migrants and refugees to the coast."

¶3. (SBU) Abdulkarim al-Iryani, Director of the Foreign Minister's Office, complained to Pol/E Chief on March 24 about what he characterized as the "huge" burden of refugees. He noted that 13,650 had arrived on Yemen's shores since the beginning of the year. "It is a humanitarian act," he said, "to tow these people to shore, but now we must take care of them. They need schools, jobs, food, clothing, and shelter. This is a lot of burden and we need help."

¶4. (SBU) COMMENT. The uncharacteristic outburst from the normally mild-mannered Foreign Minister probably reflects the pressure he and the ROYG feel from refugee flows. In the face of a revenue crisis, the ROYG has cut a variety of budget items. Gracefully honoring its international commitments appears to be the latest victim of the ROYG's budget axe. END COMMENT.
BRYAN